

AMENDED IN ASSEMBLY AUGUST 14, 2006

AMENDED IN SENATE MAY 15, 2006

AMENDED IN SENATE MAY 3, 2006

SENATE BILL

No. 1485

Introduced by Senator Hollingsworth

February 23, 2006

An act to amend Section 653o of the Penal Code, relating to crimes.

LEGISLATIVE COUNSEL'S DIGEST

SB 1485, as amended, Hollingsworth. Protected animals.

Existing law provides that it is a misdemeanor to import into this state for commercial purposes, to possess with intent to sell, or to sell within the state, the dead body, or any part or product thereof, of any of a list of specified animals, including alligators and crocodiles.

This bill would revise these provisions to provide that, commencing January 1, 2010, it shall be unlawful to engage in these acts with respect to alligators and crocodiles. *The bill would state the intent of the Legislature in this regard.*

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 653o of the Penal Code is amended to
2 read:
3 653o. (a) It is unlawful to import into this state for
4 commercial purposes, to possess with intent to sell, or to sell
5 within the state, the dead body, or any part or product thereof, of

1 any polar bear, leopard, ocelot, tiger, cheetah, jaguar, sable
2 antelope, wolf (*Canis lupus*), zebra, whale, cobra, python, sea
3 turtle, colobus monkey, kangaroo, vicuna, sea otter, free-roaming
4 feral horse, dolphin or porpoise (*Delphinidae*), Spanish lynx, or
5 elephant.

6 (b) Commencing January 1, 2010, it shall be unlawful to
7 import into this state for commercial purposes, to possess with
8 intent to sell, or to sell within the state, the dead body, or any part
9 or product thereof, of any crocodile or alligator.

10 (c) Any person who violates any provision of this section is
11 guilty of a misdemeanor and shall be subject to a fine of not less
12 than one thousand dollars (\$1,000) and not to exceed five
13 thousand dollars (\$5,000) or imprisonment in the county jail for
14 not to exceed six months, or both such fine and imprisonment,
15 for each violation.

16 (d) The prohibitions against importation for commercial
17 purposes, possession with intent to sell, and sale of the species
18 listed in this section are severable. A finding of the invalidity of
19 any one or more prohibitions shall not affect the validity of any
20 remaining prohibitions.

21 *SEC. 2. It is the intent of the Legislature that the amendments*
22 *to Section 653o of the Penal Code made by this act shall not be*
23 *construed to authorize the importation or sale of any alligator or*
24 *crocodilian species, or any products thereof, that are listed as*
25 *endangered under the federal Endangered Species Act, or to*
26 *allow the importation or sale of any alligator or crocodilian*
27 *species, or any products thereof, in violation of any federal law*
28 *or any international treaty to which the United States is a party.*